

**DEPARTMENT OF WATER AND POWER
OF THE CITY OF LOS ANGELES**

**REQUEST FOR PROPOSAL
TO DEVELOP RESOURCES FOR THE GREEN POWER PROGRAM
FOR THE DEPARTMENT OF WATER AND POWER
OF THE CITY OF LOS ANGELES**

August 25, 1998

Proposal returnable at or before 2 p.m. on October 2, 1998

Return notice of intent to respond by September 4, 1998

TABLE OF CONTENTS

1	REQUEST FOR PROPOSALS.....	2
2	GENERAL PROCEDURES, SCHEDULE AND DEADLINES.....	4
2.1	NOTICE OF INTENT TO RESPOND.....	4
2.2	EXPLANATION TO PROPOSERS	4
2.3	PROPOSAL SUBMITTAL	4
2.4	PROPOSAL REQUIREMENTS	4
2.5	PROPRIETARY INFORMATION	7
2.6	LADWP’S RIGHTS AND OPTIONS	7
2.7	BASIS FOR REJECTION	8
2.8	EXPENSES OF PROPOSAL PREPARATION	8
2.9	DISPOSITION OF PROPOSALS	8
2.10	TENTATIVE SCHEDULE OF EVENTS	9
2.11	PROPOSAL EVALUATION	9
3	PROPOSALS TO DEVELOP A NEW RENEWABLE ENERGY RESOURCE	9
3.1	REQUIREMENTS	10
3.2	PROPOSED PRINCIPLES OF AGREEMENT.....	11
3.3	INFORMATION TO BE CONTAINED IN PROPOSAL	13
4	PROPOSALS FOR THE SPRUCE GOOSE BUILDING PHOTOVOLTAIC ROOFTOP INSTALLATION.....	19
4.1	GENERAL:.....	19
4.2	UL/ETL REQUIREMENTS:.....	19
4.3	SCOPE OF WORK.....	19
4.4	DELIVERABLES.....	20
4.5	PROPOSAL REQUIREMENTS:.....	20
4.6	COST PROPOSAL DETAIL	21
4.7	INFORMATION TO BE CONTAINED IN PROPOSAL	21
4.8	EVALUATION	22
5	PROPOSALS FOR SOLAR HOT WATER HEATERS	23
5.1	REQUIREMENTS	23
5.2	INFORMATION TO BE CONTAINED IN PROPOSAL	23

List of Appendices

Appendix A	LADWP Green Power Program Renewable Power Rate Ordinance
Appendix B	Los Angeles City Affirmative Action Requirements for Non Construction Contractors
Appendix C	Los Angeles Department of Water and Power Purchasing Operations – Living Wage Ordinance
Appendix D	Notice of Intent to Propose
Appendix E	Attachments A and B for the Spruce Goose Photovoltaic Rooftop Installation

1 REQUEST FOR PROPOSALS

The Department of Water and Power of the City of Los Angeles, under the personal supervision of the General Manager, has prepared this request for proposals.

Its purpose is to solicit proposals from qualified persons and organizations interested in providing resources for LADWP's Green Power Program. LADWP has established its Green Power Program to encourage the development of new, renewable power generation sources for DWP customers. A copy of the Green Power Program outlining the program intent and long term goals as well as a copy of the proposed Green Power Ordinance approved by the Board of Water and power Commissioners are attached to this RFP for your reference and guidance (Appendix A).

Through this RFP process, DWP will contract for the purchase of energy and capacity from renewable energy sources. DWP expects to initially contract for approximately 20 megawatts of generation with a capacity factor of 25%, with options to increase capacity to 100 mw. Options for more generation will be exercised subject to the success of DWP's Green Power Program. DWP reserves the right to make a final determination of what types of projects qualify as renewable energy (green power) under this RFP.

A new source of green power can generally be defined as a generation source with the following characteristics:

- Does not exist prior to the date that this RFP is issued.
- Is not under construction as of the date that this RFP is issued.
- Net greenhouse gas emissions are extremely low to zero.
- Utilizes a power source that would otherwise be wasted (i.e. gas recovery systems).
- Utilizes fuel that is renewable (i.e. hydropower) or inexhaustible (i.e. wind or solar).

The following is a partial list of the types of proposals that DWP will evaluate. The list is provided for convenience only and should not be considered to be all-inclusive.

- 1) Large Wind-Power Generation
- 2) Micro Wind-Power Generation
- 3) Residential Rooftop Solar Power Systems
- 4) Commercial Structure Solar Systems
- 5) Solar Hot Water Heaters¹
- 6) Fuel Cells
- 7) Small Hydroelectric Systems less than 30 Megawatts
- 8) Biomass Power Generation

¹ This option does not necessarily generate green power. See Section 5 for specific information.

9) Geothermal Power Generation

LADWP intends through this RFP process to develop a Green Power Program including a combination of renewable generation resources equivalent to approximately 100 megawatts with a capacity factor of 25 percent. Further, LADWP intends to develop a rooftop solar generation resource on the "Spruce Goose Building" in Playa Vista in the City of Los Angeles. LADWP also intends to facilitate the availability of low-cost solar hot water heaters. Accordingly, through this RFP, Proposers may propose to do any of the following:

- Develop a new renewable energy resource and sell the power to LADWP in accordance with Section 3 of this RFP. Options for LADWP to purchase the resource may be included. Please refer to the Green Power Program in Appendix A and make proposals that reflect the program goals. Proposals may include assistance for marketing green power and commitments to manufacture and assemble equipment in Los Angeles.
- Design, provide materials for, and at LADWP's option construct and install a grid-intertied rooftop photovoltaic system on the roof of the "Spruce Goose Building" (Authorization from third parties may be required for this category, which is the responsibility of the Proposer). See Section 4.
- Provide low-cost solar hot water heaters to the DWP. Low-cost is defined as a system whose annual savings (avoided natural gas costs) would repay the investment over its useful life. LADWP is willing to commit to the quantity required to meet our definition of low cost. See Section 5.
- Proposals based on the initiative and knowledge of the Proposer that would advance the goals of the green power program as discussed in Appendix A. Such proposals could be of larger quantities than specified if prices are sufficiently low, in LADWP's opinion, to warrant a larger commitment.

Successful Proposers will:

- 1) Receive a contract to provide energy to the LADWP from a new source of green power, or
- 2) Receive a contract to design, provide materials for, and at LADWP's option construct and install a grid-intertied rooftop photovoltaic system on the roof of the "Spruce Goose Building", or
- 3) Receive a contract to provide a large quantity of solar hot water heaters to LADWP.

All proposals must meet the requirements set forth in Section 2.

All proposals must be prepared accordance with requirements and procedures set forth herein and must be received by LADWP on or before 2 p.m. on October 2, 1998.

Selection will be based on responsiveness to the requirements and benefits to LADWP, as determined by LADWP in its sole discretion. LADWP reserves the right, at any time, to reject any or all proposals for any reason.

2 GENERAL PROCEDURES, SCHEDULE AND DEADLINES

2.1 NOTICE OF INTENT TO RESPOND

- 2.1.1 Proposers should complete the “notice of intent to respond” form, included in Appendix D, by September 4, 1998.
- 2.1.2 Future correspondence, including any clarifications, related to this RFP will be sent only to Proposers that return the notice of intent to respond.

2.2 EXPLANATION TO PROPOSERS

- 2.2.1 Proposers desiring any explanation regarding this RFP may write, fax, or e-mail to:

John Giese
111 North Hope Street, Room 1121
Los Angeles, CA 90012
213 367 0434 p
213 367-0462 f
jegiese@LADWP.com

- 2.2.2 Insofar as practicable, questions concerning the RFP should be submitted with the notice of intent to respond or should be submitted for the pre-bid conference. All questions will be answered in writing.

2.3 PROPOSAL SUBMITTAL

- 2.3.1 All proposals must be received by LADWP, at the address specified in section 2.2.1 by 2 p.m. on October 2, 1998.
- 2.3.2 All proposals must be hand delivered by the Proposer or its designee, or transmitted to LADWP by certified mail.
- 2.3.3 Proposer must submit a bound original and ten (10) bound copies of the complete proposal in a sealed, opaque envelope that is clearly marked “response to green power RFP”.
- 2.3.4 All proposals will be opened after the response deadline. Proposals received after the response deadline will be returned unopened to the Proposer.

2.4 PROPOSAL REQUIREMENTS

- 2.4.1 The successful respondent shall have an Affirmative Action Plan (Plan) on file with the Director of Purchasing Services of LADWP before the contract is accepted. The respondent’s Plan shall comply with the requirements of the City and shall be submitted on the City's form. Attached as Appendix B are representative forms and certifications, which will be required of the successful respondent.

- 2.4.2 It is LADWP policy to provide Minority Business Enterprises (MBEs), Women Business Enterprises (WBEs), and all other business enterprises an equal opportunity to participate in the performance of contracts. The successful respondent shall assist LADWP in implementing this policy and shall use its best effort to attain MBE/WBE participation of 15 percent and 7 percent respectively. Proposer shall also work to ensure that all available business enterprises, including MBE/WBEs, have an equal opportunity to compete for and participate in any sub-contract resulting from this RFP.
- 2.4.3 All contracts that result from this RFP are subject to the Service Contract Worker Retention Ordinance (SCWRO), and the Living Wage ordinance (LWO) of the Los Angeles Administrative Code (Appendix C). The successful Proposer and the Proposer's agents, employees, and subcontractors shall comply with all applicable provisions of the Labor Code and all Federal, State, and Local laws and regulations which affect the hours of work, wages, and other compensation of employees, nondiscrimination, and other conduct of the work. Workers shall be paid not less than prevailing wages pursuant to determinations of the Director of Industrial Relations as applicable in accordance with the Labor Code or wages determined in accordance with the City of Los Angeles living wage ordinance, whichever is greater. Copies of determinations last received by LADWP are included in Appendix C. LADWP does not represent, however, that such are in fact the applicable determinations. Penalties prescribed by the Labor Code for violations shall be forfeited to LADWP.
- 2.4.4 LADWP believes that it is in the best interests of the citizens of Los Angeles and LADWP to encourage economic development within the City of Los Angeles. Accordingly the successful Proposer will be required to demonstrate a good faith effort to increase economic development within the city of Los Angeles. The measures that may be used to demonstrate such good faith include development, engineering or manufacturing proposals or other viable economic activity, which increases economic development within the City of Los Angeles. Development activity may include the location, facilitation, and development of facilities in a Green Power Industrial Park in Los Angeles, which LADWP intends to develop.
- 2.4.5 LADWP shall not be liable for any costs incurred by Proposers in responding to this RFP.
- 2.4.6 LADWP may award a contract on the basis of proposals submitted, without discussions, or may negotiate further with those Proposers at its sole discretion. Proposals should be submitted on the most favorable terms the Proposer can provide.
- 2.4.7 Any action taken by the Board of Water and Power Commissioners will be subject to review and approval by the Los Angeles City Council and will not be final until such review process has been completed. The successful Proposer will be notified, in writing, when such review process has been completed, and of the award date of the contract.

- 2.4.8 Proposals must be submitted in the legal name of the Proposer who would be bound by any agreement with LADWP, and must include the following declaration:
- “This proposal is genuine, and not sham or collusive, nor made in the interest or in behalf of any person not herein named; the Proposer has not directly or indirectly induced or solicited any other Proposer to put in a sham bid, or any other person, firm, or corporation to refrain from submitting a proposal; and the Proposer has not in any manner sought by collusion to secure for themselves an advantage over any other Proposer.”**
- 2.4.9 The address used in the proposal shall be considered the legal address of the Proposer and shall be changed only by written notice to LADWP. The Proposer shall supply an address to which certified mail can be delivered. The delivery of any communication to the Proposer either personally, or to such address deposited in the United States Mail, registered or certified with postage prepaid, addressed to the Proposer at such address, shall constitute a legal service thereof.
- 2.4.10 Each proposal shall be effective for a minimum of 180 days after the response deadline. Proposers may be requested to extend their proposal until agreement is reached.
- 2.4.11 All proposals must be in the format described herein. All requested information applicable to the Proposer's proposal must be supplied. Additional or separate information submitted will be accepted without prejudice to the proposal and will be considered in its applicable context, however, respondents should avoid including extraneous information.
- 2.4.12 In order to ensure proper consideration to special provisions of the proposal, Proposers should explain in detail any provisions that may not be obvious. Clearly mark portions of a proposal that are variances of a base proposal. It is critical that proposals be clear and concise as to what is offered.
- 2.4.13 LADWP will perform an initial review of the proposals to determine if all required information has been provided. Where deficiencies are not material, LADWP may, at its sole discretion, grant a period of seven (7) working days to the Proposer to cure such deficiencies.
- 2.4.14 The proposal must be typed or printed on 8 1/2" x 11" size paper, paginated and bound.

2.5 PROPRIETARY INFORMATION

- 2.5.1 Proposals may include proprietary or confidential information. LADWP will take reasonable precautions and use reasonable efforts to protect such information provided that such information is clearly marked as proprietary or confidential on the page it appears. LADWP reserves the right to release such information to agents or contractors for the purpose of evaluating the proposal. Such agents or contractors will be contractually bound to the same standards of care with respect to the disclosure as LADWP. In any event, LADWP, its agents or contractors will not be liable for the damages resulting from any disclosure before, during, or after the solicitation.

2.6 LADWP's RIGHTS AND OPTIONS

- 2.6.1 This RFP contains only an invitation to make proposals to LADWP. LADWP reserves, holds, and may in its sole discretion exercise any or all of the following rights and options with respect to this RFP:
- a. To determine those proposals in response to this RFP that are eligible for consideration.
 - b. To issue additional subsequent solicitations for information, and to conduct investigations with respect to the qualifications of each Proposer.
 - c. To supplement, amend, or otherwise modify this RFP, and to cancel this RFP with or without the substitution of another RFP.
 - d. To negotiate with Proposers on any proposal item or for amendments or other modifications to their proposals to the extent deemed to be in the best interests of LADWP.
 - e. To select and enter into agreements with the Proposer(s) who, in LADWP's sole judgement, are most responsive to the RFP and whose proposal(s) best satisfies the interests of LADWP, and not necessarily on the basis of price alone or any other single factor.
 - f. To issue additional subsequent solicitations for proposals.
 - g. To enter into agreements different from those contemplated by this RFP.
 - h. To the extent not prohibited by law, to waive any irregularity or informality on any price proposal.
 - i. To reject any or all proposals.

2.7 BASIS FOR REJECTION

2.7.1 A PROPOSAL MAY BE REJECTED FOR ANY OF THE REASONS BELOW:

- a. Receipt of the proposal by LADWP after the Response Deadline.
- b. Failure to meet the requirements described in this RFP.
- c. Failure to submit a complete proposal in the format specified in this RFP. This includes the absence of pertinent information requested which is necessary for proposal evaluation.
- d. Failure of the Proposer's authorized officer to sign the proposal.
- e. Inability or unwillingness to provide any of the required security.
- f. The proposal is not a firm offer for at least 180 days from the Response Deadline shown in Section 2.10.
- g. Misrepresentations in the proposal.
- h. Failure to permit disclosure of information contained in the proposal to LADWP's agents or contractors.
- i. Any conduct or attempts to influence LADWP's evaluation of the proposals outside the solicitation process.

2.8 EXPENSES OF PROPOSAL PREPARATION

- 2.8.1 Each proposal prepared in response to this RFP will be prepared at the sole cost and expense of the Proposer and with the express understanding that there will be no claims whatsoever for reimbursement from LADWP.
- 2.8.2 Proposer shall be liable to LADWP for the cost of any requested maps, drawings, or other information related to the proposal.

2.9 DISPOSITION OF PROPOSALS

- 2.9.1 All materials submitted in response to this RFP will become the property of LADWP.

2.10 TENTATIVE SCHEDULE OF EVENTS

An approximate schedule for proposal evaluation and Proposer selection is as follows:

RFP Release	August 25, 1998
Pre-bid Conference – proposed respondents can submit questions in advance for discussion at the conference	September 1, 1998
Proposals Due	October 2, 1998
Selected Proposers Determined	November 1, 1998
Proposer Interviews	November 15, 1998
Evaluation Completed	January 1, 1998
Negotiations Begin	January 1, 1998
Agreements Executed by LADWP after obtaining City Council approval	April 1, 1998

2.11 PROPOSAL EVALUATION

- 2.11.1 Proposal evaluation will be based on responsiveness to requirements of this RFP. Both price and non-price features of the proposal will be considered.
- 2.11.2 An eligible or not eligible evaluation will be made of each proposal and the eligible proposals will be compared.
- 2.11.3 After the proposals have been reviewed and evaluated, selected Proposers will be asked to make a presentation of their proposal to LADWP personnel and field questions concerning the proposal.
- 2.11.4 After the interviews and the evaluation are completed, one or more Proposers may be requested to enter into contract negotiations.

3 PROPOSALS TO DEVELOP A NEW RENEWABLE ENERGY RESOURCE

It is LADWP's goal to purchase renewable energy at the lowest possible price to itself with the least environmental and other impact to the community and with the greatest economic benefit to the City of Los Angeles. Proposals can be for projects located in or near the City of Los Angeles and can be constructed on LADWP owned land or Proposer owned land. Proposals utilizing LADWP land will be adjusted for the fair market value of the LADWP contribution.

LADWP expects to negotiate contracts with several Proposers for wind, solar or other types of green power in accordance with the goal stated in this RFP and the attached document describing the Green Power Program.

LADWP intends to develop a portfolio of renewable resources, which will include multiple units with some phasing of operation dates. Actual unit requirements will be based on green power program response, which is not available at the time of this RFP.

3.1 REQUIREMENTS

3.1.1 GENERAL

- 3.1.1.1 The RFP is open to all Proposers that meet the requirements of the RFP. Proposer means the party submitting the proposal, including all partners and joint ventures. Section 3.3 describes the information that will allow LADWP to determine if the requirements are satisfied.
- 3.1.1.2 The base prices quoted must be for electricity delivered to the incoming side of any collector substation identified by the Proposer which immediately connects to the LADWP distribution system. Price will be adjusted to reflect the pro rata cost for the use of any LADWP owned or controlled transmission lines or land.

3.1.2 EXPERIENCE

The Proposer must:

- 3.1.2.1 Demonstrate, to the satisfaction of LADWP, the ability to develop green power equivalent to at least the amount and type of green power the Proposer is proposing to build, including permitting, design, construction and operation or provide proof of capabilities to develop a project of the proposed scale.
- 3.1.2.2 Demonstrate, to the satisfaction of LADWP, the ability to operate a green power project of at least the size that the Proposer is proposing to build, including planning, organizing, directing, controlling and supervising the day-to-day operations.
- 3.1.2.3 Have a staff of qualified personnel to develop, operate, and maintain a green power project of at least the proposed size.
- 3.1.2.4 Demonstrate that the Proposer's organization has appropriate longevity, stability, and maturity to complete the proposed task.
- 3.1.2.5 The Proposer must have previously obtained financing or must have funded a green power project of at least the size that the Proposer is proposing to build or demonstrate, to the satisfaction of LADWP, that they are capable of financing a project of the proposed size.

3.1.3 CAPACITY

- 3.1.3.1 The Proposer may propose to build any amount or type of green power in accordance with this RFP.

- 3.1.3.2 For the purpose of this RFP the following schedule of installed capacity will be used. This schedule is to be used for comparison purposes only and is subject to change on the basis of progress in marketing green power. LADWP may change this schedule at its sole discretion to reflect the needs of LADWP

In-Service Date	Installed Capacity (25% Capacity Factor)
As Soon As possible	20 MW
12/31/1999	40 MW
12/31/2000	40 MW

3.1.4 FACILITY OPERATION - FOR SYSTEMS THAT ARE DIRECTLY CONNECTED TO THE LADWP TRANSMISSION AND DISTRIBUTION SYSTEMS.

- 3.1.4.1 The facilities must operate, and must include at the Proposers expense, the following:
- The Proposer's system shall interface with LADWP's electric system at 60 HZ, alternating current.
 - Any signal distortion superimposed on LADWP's system shall be limited to 5% of the RMS value of the voltage and 25% of the current waveform.
 - The power factor of the energy delivered to LADWP shall not be less than 97% lagging.
 - Telemetry equipment shall be installed at the Proposer's generating sources to provide continuous energy source output indication at LADWP's load dispatching headquarters.
 - There shall be revenue quality metering installed which meets the CAL-ISO metering and MDAS requirements.
 - Any required safety equipment for isolation of facilities during maintenance or line outages.

3.2 PROPOSED PRINCIPLES OF AGREEMENT

3.2.1 GENERAL

- 3.2.1.1 Those agreements entered into as a result of this RFP will be comprehensive documents covering all aspects of the construction and operation of facilities and the sale of energy. All such agreements must be fully acceptable in both substance and form to LADWP. Accordingly, LADWP reserves the right to reject conditions proposed or to insert other terms and conditions, even though not specifically mentioned in this RFP.

- 3.2.1.2 If the proposal includes an option for LADWP to purchase the project, upon completion of all work under the contract, ownership and title to all reports, documents, plans, specifications, and estimates produced as part of the contract must be automatically vested in LADWP and no further agreement will be necessary to transfer ownership to LADWP. Copies made for the contractor's records shall be considered the confidential and proprietary information of LADWP and shall not be furnished to others without prior written authorization from LADWP.

3.2.2 ELECTRICITY PURCHASE

- 3.2.2.1 The result of a successful proposal will be for the Proposer to construct, at its own expense, the selected project. Upon completion, LADWP will pay the Proposer monthly for electricity based on the prices, terms and conditions, as contained in the agreement.
- 3.2.2.2 LADWP requires that the successful Proposer quote prices for three, five, and ten year contracts, with options for contract extensions of up to a total of 15 years.
- 3.2.2.3 The successful Proposer may offer an option to LADWP to buy the project after five or ten years. The price of this option shall not be embedded in the cost of the contract, but shall be called out separately.
- 3.2.2.4 LADWP requires prices to be quoted for capacity and energy. As stated in Section 3.1.1.2, the base prices are quoted for electricity delivered to the incoming side of a collector substation to be identified by the Proposer. Price adjustments to the base price are required for the following:
- a. Inclusion of the design and construction of a collector substation.
 - b. For distributed generation, the respondent must include the cost to connect to the grid, and safety requirements to isolate the installation in accordance with DWP standards.
- 3.2.2.5 The Proposer's proposed escalation indices, if any, shall be based on indices that are published in readily available publications and by recognized institutions. Any such escalation indices must be acceptable to LADWP. Proposed escalation indices shall not be related to fossil fuels.
- 3.2.2.6 For proposals that include the use of LADWP land, LADWP will adjust the cost of the proposal to reflect the fair market rent for the land.
- 3.2.2.7 Any agreement must provide a mechanism to agree upon the amount and time for the delivery of purchased energy to LADWP. Once a particular amount and time are set pursuant to the mechanism, any failure on the part of the Proposer to deliver energy as agreed pursuant to such mechanism shall require the Proposer to reimburse LADWP for the cost of the purchase of a like amount of electricity from other available sources plus any administrative costs that LADWP incurs as a result of the failure meet such commitment. Such failure may also be used as grounds for termination of the contract.

3.2.3 FACILITIES

3.2.3.1 LADWP requires that the Proposer do the following:

- a. Design, construct, operate and maintain all facilities necessary to generate the proposed electricity and transmit it to a collector substation, while complying with all applicable environmental, regulatory and code requirements.
- b. Design and construct a collector substation, if necessary, while complying with all applicable environmental, regulatory and code requirements.
- c. Prepare all necessary environmental documents and obtain all necessary licenses and permits. The facilities referred to in items a and b above will be included in the environmental document.
- d. Obtain any necessary right-of-ways.

3.2.3.2 For all facilities in or near LADWP service territory, LADWP requires that the Proposer include an option for LADWP to operate and maintain the facility.

3.3 INFORMATION TO BE CONTAINED IN PROPOSAL

The following information is required to be contained in the proposal. Information requested in sections 4 and 5 is not required for proposals submitted in response to Section 3.

3.3.1 GENERAL

3.3.1.1 This Section contains the information that must be included in the proposal. It provides LADWP with basic information about the proposal and serves as a checklist for the Proposer to ensure that the proposal is complete. The proposal shall contain the following sections. Additional information must be attached separately and shall be clearly identified.

- **Eligibility**
- **Organization**
- **Financial Capability**
- **Power Generation Facilities**
- **Transmission Facilities**
- **Project Management**
- **Operational Characteristics**
- **Pricing**
- **Financial Plan**
- **Term**
- **Guarantees**
- **Draft Agreement**

- 3.3.1.2 To facilitate review of the proposals, the Proposer shall do the following:
- a. Responses to each of the following Sections must be provided as separate exhibits.
 - b. Identify each exhibit in the upper right-hand corner of the first page.
 - c. Include the proposal name and number on each exhibit page sequentially showing the page number and the total number of pages in the exhibit.
 - d. Repeat the question and then provide the answer.
 - e. Label the responses so they correspond to the Section designation. For example, the answer to Section 3.3.1.2 should be labeled "ANSWER 3.3.1.2" in Exhibit B.

3.3.2 ELIGIBILITY

This section shall be marked as Exhibit A.

- 3.3.2.1 Describe the Proposer's experience that satisfies the requirement of Section 3.1.2.1. Identify the facility(s) or project(s). Briefly describe the facility or project. What was the Proposer's specific role that satisfies the requirement? Is the Proposer's organization the same organization that satisfies the requirement of Section 3.1.2.1?
- 3.3.2.2 Describe the Proposer's experience that satisfies the requirement of Section 3.1.2.2. Identify the facility(s). Briefly describe the facility(s). What was the Proposer's specific role that satisfies the requirement? Is the Proposer's organization the same organization that satisfies the requirement of 3.1.2.2?
- 3.3.2.3 Describe the Proposer's experience that satisfies the requirement of Section 3.1.2.3. Identify the facility(s). Briefly describe the facility(s). What was the Proposer's specific role that satisfies the requirement? Is the Proposer's organization the same organization that satisfies the requirement of Section 3.1.2.3?
- 3.3.2.4 Describe the Proposer's experience that satisfies the requirement of Section 3.1.2.4. Identify the facility(s). Briefly describe the facility(s). What was the Proposer's specific role that satisfies the requirement? Is the Proposer's organization the same organization that satisfies the requirement of Section 3.1.2.4?

3.3.3 ORGANIZATION

This section shall be marked as Exhibit B

- 3.3.3.1 Provide a description of the Proposer's organization including the name, address and telephone number of the Proposer and the principals in the organization. If the Proposer is a corporation, identify its officers, state of incorporation, and parent corporation, if any. If the Proposer is a partnership, identify the general partner(s), and state(s), if any, where partnership filings have been made. Provide an organization chart of the organization.

- 3.3.3.2 Provide, a statement outlining the person(s) within the Proposer's organization who will serve as point(s) of contact including the title, address, and telephone number. Identify the office where the project will be managed.
- 3.3.3.3 Who are the key staff personnel of the project team and what is the allocation of responsibility for construction and operation of various phases of development and operation under the management plan? Provide resumes of key personnel.
- 3.3.3.4 What is the Proposer's major type of business? Provide a description of the general experience of the Proposer relating to the development of green power. List the specific project experience by including such items as project name, location, owner's name, Proposer's scope of work and responsibilities, project size, dates services provided, major subcontractors used and services they provided.
- 3.3.3.5 What are the special qualifications of the Proposer to undertake and manage the project?
- 3.3.3.6 State whether the Proposer expects to use subcontractors to perform services pursuant to the contract. List all proposed subcontractors, the task they will perform, and whether they are certified as M/WBE's.
- 3.3.3.7 Complete and submit the enclosed Los Angeles City Affirmative Action plan. (Appendix B).
- 3.3.3.8 Complete and return the declaration of Compliance for Service Contract Worker Retention Ordinance and the Living Wage Ordinance (Appendix C).

3.3.4 FINANCIAL CAPABILITY

This section shall be marked as Exhibit C.

- 3.3.4.1 Describe the financial position of the Proposer by providing the most recent three years of audited information available regarding the Proposer such as annual reports, audited financial statements or a SEC K-10 report. If none of the above are available, provide verifiable financial statements for the past three years. Provide the Proposer's Dunn and Bradstreet identification number, if available.
- 3.3.4.2 Describe the Proposer's experience that satisfies the requirement of Section 3.1.2.5. Identify the facility(s). Briefly describe the facility(s). Is the Proposer's proposed organization the same organization that satisfies the requirement of Section 3.1.2.5?
- 3.3.4.3 Describe any outstanding litigation in which the Proposer is involved or has been involved in during the last five years.

3.3.5 POWER GENERATION FACILITIES

This section shall be marked as Exhibit D

- 3.3.5.1 Provide information that fully describes the proposed project.
- 3.3.5.2 Provide a summary of the engineering feasibility of building and operating the facilities. Use other existing projects as appropriate.
- 3.3.5.3 Provide references from other projects, i.e. utilities, governments, etc.

3.3.6 TRANSMISSION FACILITIES / INTERCONNECTION FACILITIES

This section shall be marked as Exhibit E.

- 3.3.6.1 Provide information that fully describes the proposed transmission facilities, if applicable, including the following:
 - a. Collector substation – one-line diagram, list of equipment.
 - b. Transmission line – voltage, length, conductor, structure type, and insulators.
 - c. Switching station – one-line diagram, list of equipment.
 - d. Any operational limitations.
 - e. Expected transmission losses.
- 3.3.6.2 Is the Proposer willing to transfer ownership of the collector substation, interconnecting transmission line and switching station to LADWP?

If yes, with what terms and conditions?

3.3.7 PROJECT MANAGEMENT

This section shall be marked as Exhibit F.

- 3.3.7.1 Provide a detailed schedule indicating significant events that must occur prior to the in-service date.
- 3.3.7.2 Describe the scheduling and cost control system that will be used to manage the project. Provide examples of the cost account classification system and the level and detail of schedules used to control the work.
- 3.3.7.3 Describe the procurement policies and processing practices that will be used such as competitive bidding.
- 3.3.7.4 Describe the design and construction quality assurance program and procedures used.

3.3.8 OPERATIONAL CHARACTERISTICS

This section shall be marked as Exhibit G.

3.3.8.1 Provide the following information for each month of a contract year. If these amounts will change from year to year, please provide the information requested for each year. If appropriate, routine outages for scheduled maintenance periods should be included in the monthly estimates and should be specifically noted. Extraordinary or major scheduled maintenance should be addressed in section 3.3.8.2.

- a. Firm vs. non-firm capacity available to LADWP for each month.
- b. Capacity to be used for billing purposes, if different than above. If applicable, provide the minimum hourly capacity that will be available to LADWP.
- c. Firm vs. non-firm energy available to LADWP for each month.
- d. Describe anticipated hourly, weekly, or annual load factor or other requirement.

3.3.8.2 Operational Constraints

- a. Describe the constraints, if any, to LADWP's ability to dispatch the units.
- b. Provide projected forced outage rates for the units and a rationale explanation of the projection.
- c. Provide a description of the outages that will be necessary for planned maintenance, both routine and extraordinary, expected to be performed during the term of the agreement. This should include an indication of how often the maintenance will be required and any flexibility as to the timing of that maintenance.
- d. Describe any other operational constraints that LADWP should be aware of.

3.3.9 PRICING

This section shall be marked as Exhibit H.

3.3.9.1 Provide for each year through the term of each proposed agreement the following:

- a. Firm vs. non-firm base prices as capacity rates (\$/kW) and energy rates (\$/kWh).
- b. The escalator, if any, for each rate.
- c. Describe fully how pricing relates to Exhibit H – Operational Characteristics.
- d. Explain fully how payments will be made.

- 3.3.9.2 Provide price adjustments to the base price as follows:
- a. The price adjustment for inclusion of the design and construction of a collector substation.
 - b. The price adjustment for inclusion of a collector substation and the design and construction of a 230 kV transmission line from the collector substation to the switching substation, if required.
 - c. The price adjustment for inclusion of the collector substation, the transmission line and the switching station.
 - d. Distributed generation costs.
 - e. Options for connection at another voltage.
- 3.3.9.3 Describe the indices used to escalate the rates, or the formula used to determine escalation and any provisions for caps or limits on price escalation, if applicable. Include examples showing how any special formulas, mechanisms or pricing calculations will be made. Provide projections of the indices with an explanation of the projection.

3.3.10 FINANCIAL PLAN

This section shall be marked as Exhibit J.

- 3.3.10.1 Provide a proposed financing plan describing the Proposer's plans and ability to finance the proposal, and set forth, where applicable, expected levels, costs and sources of equity and debt capital and other relevant information regarding sources of funding for the project.
- 3.3.10.2 Provide the projected debt coverage ratios and annual cash flows based on the price bid and expenses, including all costs associated with installing, maintaining and operating the project. These should be based on project specific estimated capital costs and estimated operation and maintenance expenses.

3.3.11 TERM

This section shall be marked as Exhibit K.

- 3.3.11.1 Provide information on 3,5, and 10 year contracts.
- 3.3.11.2 Describe any provisions that may extend the term of the agreement.
- 3.3.11.3 Is the Proposer willing to sell the project to LADWP after five or ten years of operation?

Yes ___ No___ (Please check)

If yes, with what terms and conditions?

3.3.12 GUARANTEES

This section shall be marked as Exhibit L.

- 3.3.12.1 Describe in detail any guarantees or other forms of security for performance, such as a bond or similar security. Proposers will be required to furnish acceptable guarantees for performance.
- 3.3.12.2 Describe all project risks and how they will be managed.
- 3.3.12.3 Describe insurance coverage.
- 3.3.12.4 Performance and other guarantees that are made as part of the RFP will be incorporated into the ultimate contract and will be used for contract compliance.

4 PROPOSALS FOR THE SPRUCE GOOSE BUILDING PHOTOVOLTAIC ROOFTOP INSTALLATION

4.1 GENERAL:

The Department of Water and Power of the City of Los Angeles (LADWP) is seeking proposals from qualified Proposers to design, provide materials for, and at LADWP's option construct and install a grid-intertied rooftop photovoltaic system on the roof of the "Spruce Goose Building" (Rooftop System).

Designs for two scenarios are requested.

1. A 350 kilowatt (kW) Rooftop System.
2. A 1 megawatt (MW) Rooftop System.

The Photovoltaic Rooftop System is to be a fixed, non-tracking, structurally integrated design.

4.2 UL/ETL REQUIREMENTS:

The Rooftop Photovoltaic System must comply with all UPVG round three requirements. Design and all materials must be UL or ETL listed and conform with all applicable local, state, and federal building codes.

4.3 SCOPE OF WORK

4.3.1 Grid-Intertied, Rooftop Photovoltaic System:

The Rooftop System will be located at the Playa Vista development in Los Angeles, California, on the roof of the "Spruce Goose Building". Attachment A of Appendix E shows a rough drawing of the roof space that will be used for the 350-kW installation. Attachment B of Appendix E shows a rough drawing of the roof space that will be used for the 1.02 MW installation. The roof is expected to be a membrane-covered, new installation. The Rooftop System will require an output of three phase 480 volts AC. If multiple inverters are included in the design, then include a viable disconnect with locking provisions for each inverter. Each inverter must be capable of being grounded on both the AC and DC sides during maintenance.

4.4 DELIVERABLES

4.4.1 Required Design/Materials:

The required work will include design and materials for:

- The photovoltaic array
- Inverters
- Array support structure and roof attachment
- Data acquisition hardware and software
- Balance of system (BOS)
- An option for the construction and installation of the Rooftop System

The design of the Rooftop System is to be based on a 30-year life and is to include detailed instructions for the operation and maintenance of the Rooftop System. The successful Proposer is responsible for ensuring that its design meets all applicable building codes.

4.5 PROPOSAL REQUIREMENTS:

Information requested in Sections 3 and 5 is not required for proposals submitted in response to section 4.

All photovoltaic materials (modules, inverters, etc.) must be shown, in LADWP's sole judgement, to result in successful system operation. The vendor must demonstrate the financial capability to service all warranties through bonding and financial backing. The vendor must have demonstrated experience designing and installing grid-connected photovoltaic systems of 100kW peak capacity or greater.

The system and its electrical output will become the property of LADWP. Proposals should include the option of operation and maintenance by the proposer.

Proposals are to include electrical drawings of wiring, junction boxes, and all other electrical materials. No battery back-up will be required. Inverter(s) for conversion of the DC array voltage from the panels to AC for connection to LADWP's power grid is/are to be included.

4.5.1 Electrical Specifications:

The following electrical specifications are to be met:

- DC operational voltage equal to or less than ± 300 volts.
- AC output voltage from the inverter equal to 480 volts, three phase, V connected.
- All materials must be UL or ETL listed.

Proposals must include a description of system isolation/grid disconnection characteristics and startup procedure after both normal and emergency shutdown of the Rooftop System. Proposer is to include any other information required for the operation of the proposed Rooftop System.

4.5.2 Reference Standards:

Standard Test Conditions (STC) for flat plate

- 1000 W/m² POA irradiance
- 20 degrees Celsius cell temperature
- 1.5 Air mass spectrum

PVUSA Test Conditions (PTC) for flat plate

- 1000 W/m² POA irradiance
- 25 degrees Celsius ambient temperature
- 1 m/s wind speed (at 10 meters above grade)

4.6 COST PROPOSAL DETAIL

4.6.1 Required Cost Breakdown:

Each proposal shall include a total firm price and a description and cost breakdown for the following:

1. System design(s), including all drawings, specifications, calculations, etc
2. Photovoltaic array materials
3. Inverter(s)
4. Structural materials and roof attachment
5. Data acquisition system hardware and software
6. Balance of System (BOS) materials
7. The option to construct and install the Rooftop System

4.7 INFORMATION TO BE CONTAINED IN PROPOSAL

The following information is required to be contained in the proposal. Information requested in sections 3 and 5 is not required for proposals submitted in response to section 4.

4.7.1 GENERAL

- 4.7.1.1 This Section contains the information that must be included in the proposal. It provides LADWP with basic information about the proposal and serves as a checklist for the Proposer to ensure that the proposal is complete. The proposal shall contain the following sections. Additional information shall be attached separately and shall be clearly marked.

- **Financial Capability**
- **Guarantees**

- 4.7.1.2 To facilitate review of the proposals, the Proposer shall do the following:
- a. Responses to each of the following Sections must be provided as separate exhibits.
 - b. Identify each exhibit in the upper right-hand corner of the first page.
 - c. Include the proposal name and number on each exhibit page sequentially showing the page number and the total number of pages in the exhibit.
 - d. Repeat the question and then provide the answer.
 - e. Label the responses so they correspond to the Section designation. For example, the answer to Section 4.2.1 should be labeled "ANSWER 4.2.1" in Exhibit B.

4.7.2 FINANCIAL CAPABILITY

This section shall be marked as Exhibit A.

- 4.7.2.1 Describe the financial position of the Proposer by providing the most recent three years of audited information available regarding the Proposer such as annual reports, audited financial statements or a SEC K-10 report. If none of the above are available, provide verifiable financial statements for the past three years. Provide the Proposer's Dunn and Bradstreet identification number, if available.
- 4.7.2.2 Describe any outstanding litigation in which the Proposer is involved or has been involved in during the last five years.

4.7.3 GUARANTEES

This section shall be marked as Exhibit B.

- 4.7.3.1 Describe in detail any guarantees or other forms of security for performance, such as a bond or similar security. Proposers will be required to furnish acceptable guarantees for performance.
- 4.7.3.2 Describe insurance coverage.

4.8 EVALUATION

4.8.1 Competitive Range Qualification:

Proposals will be scored and a competitive range determined based only on the information provided by the Proposer. Discussions, if any, will be conducted only with those within the competitive range. The right is reserved to reject any or all proposals.

4.8.2 Rooftop System Performance:

Information provided will be used to determine the expected kW performance for the proposed Rooftop System. The minimum acceptable DC power at STC rating for the solar array for Attachment A is 350 kW and for Attachment B is 1.02 MW. Proposals will be evaluated, in part, based on the lowest cost-per-watt at net system-rated AC power at PTC delivered at the AC output of the inverter. Other criteria will include the completeness of the design and Proposer's experience in photovoltaic systems of this type.

4.8.3 Presentations:

Pursuant to the terms of section 2, after review and evaluation of proposals, Proposers within the competitive range will be notified to make a presentation of their proposal. Final details for the Rooftop System will be negotiated with Proposers within the competitive range. Award will be to the proposal deemed to offer the best service and product at the lowest ultimate cost to LADWP.

4.8.4 Criteria Weight Assignment:

All proposals will be evaluated based on the following criteria:

CRITERIA	%
Cost per watt	70%
Completeness of Design	10%
Vendor experience	20%

For purposes of evaluation, Proposers are to state:

- DC wire losses
- The percent module mismatch
- Manufacturer photovoltaic panel electrical performance values (specifications data sheets)
- Manufacturer's inverter performance values including efficiency at various loads (specifications data sheets)

5 PROPOSALS FOR SOLAR HOT WATER HEATERS

5.1 REQUIREMENTS

5.1.1 GENERAL

- 5.1.1.1 The RFP is open to all Proposers that meet the requirements of the RFP. Proposer means the party submitting the proposal including all partners and joint ventures. Section 5.2 describes the information that will allow LADWP to determine if the requirements are satisfied.
- 5.1.1.2 The proposer shall submit a firm bid for the total price of the solar hot water heater for the quantity offered and a separate unit price for installation of such equipment as an option that is independent of the equipment itself.

5.1.2 EXPERIENCE

The Proposer must:

- 5.1.2.1 Demonstrate the ability to deliver solar hot water heaters in the proposed quantity.

5.2 INFORMATION TO BE CONTAINED IN PROPOSAL

The following information is required to be contained in the proposal. Information requested in sections 3 and 4 is not required for proposals submitted in response to section 5.

5.2.1 GENERAL

5.2.1.1 This Section contains the information that must be included in the proposal. It provides LADWP with basic information about the proposal and serves as a checklist for the Proposer to ensure that the proposal is complete. The proposal shall contain the following sections. Additional information shall be attached separately and shall be clearly marked.

- **Financial Capability**
- **Pricing**
- **Guarantees**

5.2.1.2 To facilitate review of the proposals, the Proposer shall do the following:

- a. Responses to each of the following Sections must be provided as separate exhibits.
- b. Identify each exhibit in the upper right-hand corner of the first page.
- c. Include the proposal name and number on each exhibit page sequentially showing the page number and the total number of pages in the exhibit.
- d. Repeat the question and then provide the answer.
- e. Label the responses so they correspond to the Section designation. For example, the answer to Section 4.2.1 should be labeled "ANSWER 4.2.1" in Exhibit B.

5.2.2 FINANCIAL CAPABILITY

This section shall be marked as Exhibit A.

5.2.2.1 Describe the financial position of the Proposer by providing the most recent three years of audited information available regarding the Proposer such as annual reports, audited financial statements or a SEC K-10 report. If none of the above are available, provide verifiable financial statements for the past three years. Provide the Proposer's Dunn and Bradstreet identification number, if available.

5.2.2.2 Describe any outstanding litigation in which the Proposer is involved or has been involved in during the last five years.

5.2.3 PRICING

This section shall be marked as Exhibit B.

5.2.3.1 Provide a schedule of pricing and availability for each proposed design.

5.2.4 GUARANTEES

This section shall be marked as Exhibit C.

5.2.4.1 Describe in detail any guarantees or other forms of security for performance, such as a bond or similar security. Proposers will be required to furnish acceptable guarantees for performance and useful life of the equipment to the satisfaction of LADWP.

5.2.4.2 Describe insurance coverage.

APPENDIX A

LADWP GREEN POWER PROGRAM RENEWABLE POWER RATE ORDINANCE

APPENDIX B

Los Angeles City Affirmative Action Requirements for Non Construction Contractors

LOS ANGELES CITY AFFIRMATIVE ACTION PLAN

LOS ANGELES CITY AFFIRMATIVE ACTION REQUIREMENTS FOR NONCONSTRUCTION CONTRACTORS

Notwithstanding any other provision of Division 10, Chapter 1, Article 1, of the Los Angeles Administrative Code, to the contrary, every nonconstruction contract involving an expenditure in excess of \$5,000 of City funds, except in cases of urgent necessity, as provided in Section 386 of the Charter of City of Los Angeles and except as provided in Section 10.8.6 and Section 10.9 (a), (b) and (d) of Division 10, shall contain by insertion therein, as part of the bid specifications, an affirmative action plan substantially as follows and which by the Contractor's signature affixed thereto, shall constitute and be established as its affirmative action plan:

1. Nonconstruction Contracts Included:

The Contractor and the subcontractor will not be eligible for an award of the City nonconstruction contract in excess of \$5,000, unless a written affirmative action plan is part of the bid embodying both (1) goals and timetables for the utilization of minorities and women in the work force, (Members of "Minority Groups" include any person or group described by race, religion, sex, ancestry, national origin, age or physical handicap,) and (2) specific affirmative action steps directed at increasing the work force utilization of minorities and women by means of applying good faith efforts to carrying out such steps or is deemed to have submitted such a program pursuant to Subsection 3 of this section. Both the goals and timetables, and the affirmative action steps must be taken in good faith to attempt to meet the requirements of this section and as set forth below, whether subcontracted or not.

2. Goals and Timetables

The plan must set forth the following minimum ranges of goals for utilization of minorities and women in the work force by the bidder and all Contractors and subcontractors with the City of Los Angeles in each occupational category for work performed within the County of Los Angeles. These goals shall not be construed to be quotas but shall indicated the extent to which the Contractor or the subcontractor, in good faith, shall make an effort to utilize minorities and women in each occupational category provided the opportunities arise and qualified persons are available to fill vacancies.

	<u>Ethnic Minorities</u>	<u>Females</u>
To 12/31/78	21%	21%

For work performed outside the County of Los Angeles, the goals through 1979 for minorities and women are equivalent to 60 percent of the minority population and 50 percent of the female civilian labor force in the recruitment area, however, the goals for women are not to exceed 21 percent.

The Contractor may be exempted from the above Goals and Timetables if it agrees to enter into a joint venture with a minority contractor. The Contractor must describe how minority employees will be utilized. The exemption shall extend only to the Goals and Timetables of this Plan.

In the event that under a contract which is subject to these bid conditions any work is performed in a year later than the latest year for which acceptable ranges of minority and woman utilization have been determined herein, the ranges for 1979 shall be applicable to such work.

In no event may a Contractor or subcontractor utilize the goals, timetables or affirmative action steps required by this part in such a manner as to cause or result in discrimination against any person on account of race, religion, sex, ancestry, national origin, age or physical handicap.

3. An Affirmative Action Plan

The Contractor certifies and agrees that it shall immediately make a good faith effort to increase within its employ said minorities in numbers proportionate with the said minority composition of the population of the County of Los Angeles or the recruitment area work force if the Contractor is located outside Los Angeles County as set forth hereinafter, including but not limited to the following affirmative actions:

- (a) The Contractor shall recruit and make efforts to obtain minorities through:
 - (1) Advertising employment opportunities in minority community news media;
 - (2) Notifying minority community organizations of employment opportunities;
 - (3) Maintaining contact with schools with minority students to notify them of employment opportunities;
 - (4) Encouraging present minority employees to refer their friends and relatives;
 - (5) Promoting after school and vacation employment opportunities for minority youth;
 - (6) Validating all employment specifications, selection requirements, tests, etc.;
 - (7) Maintaining a file of the names and addresses of each minority worker referred to the Contractor and what action was taken concerning such worker; and
 - (8) Notifying the appropriate awarding authority of the City in writing when a union with whom it has a collective bargaining agreement has failed to refer a minority worker to the Contractor.
 - (b) The Contractor shall continuously evaluate personnel practices to assure that hiring, upgrading, promotions, transfers, demotions, and layoffs are made to achieve and maintain an ethnically balanced work force.
 - (c) The Contractor shall utilize training programs and assist minority employees in locating, qualifying for, and engaging in such training programs to enhance their skills and advancement.
 - (d) The Contractor shall secure cooperation or compliance from the labor referral agency to contractual affirmative action obligations.
 - (e) The Contractor shall establish a person at the management level of the contracting entity to be the company's Equal Employment Opportunity Officer, such individual to have the authority to sign contracts and to disseminate and enforce the company's Equal Employment and Affirmative Action Policies.
 - (f) The Contractor shall maintain such records as are necessary to determine compliance with equal employment and affirmative action obligations, and make such records available to City, State, and Federal authorities upon request.
4. The Contractor shall make a good faith effort to contract with said minority contractors, sub-contractors, and vendors for services and supplies by taking affirmative actions which include but are not limited to the following:
- a. The Contractor shall advertise invitations for subcontractor bids in minority community news media.
 - b. The Contractor shall contract minority contractor organizations for referral of prospective subcontractors.
 - c. The Contractor shall contact any other source likely to yield qualified minority contractors and vendors.
 - d. The Contractor shall make purchases from qualified minority vendors where practical.
5. The Contractor and each subcontractor shall make a good faith effort with respect to apprenticeship and training programs to:
- a. Recruit and refer minority employees to such programs.
 - b. Establish training programs within the company and/or its association that will prepare minority employees for advancement opportunities.
 - c. Abide by the requirements of the Labor Code of the State of California with respect to the provision of apprenticeship opportunities.

6. The Contractor and each subcontractor shall establish written company policies, rules, and procedures which shall be encompassed in a company-wide Affirmative Action Plan for all operations and contracts. Said policies shall be provided to all employees, subcontractors, vendors, unions, and all others with whom the company may become involved in fulfilling any contracts. The company's Affirmative Action Plan shall encompass the requirements contained herein as a minimum.

7. Where problems are experienced by the Contractor or the subcontractor in complying with affirmative action obligations, the Contractor or subcontractor shall document all good faith efforts to comply with the requirements by the following procedure:

- a. The Contractor or subcontractor shall state the nature of the problem.
- b. The Contractor or subcontractor shall state what it attempted to do, how, and on what date.
- c. The Contractor or subcontractor shall state to whom its efforts were directed.
- d. The Contractor or subcontractor shall state the response received and date.
- e. The Contractor or subcontractor shall state what other steps it has taken or will take to comply and when.
- f. The Contractor or subcontractor shall state why it has been or will be unable to comply.

8. The Contractor and each of its known subcontractors shall complete and file with the awarding authority acceptable Affirmative Action Plans with the Contractor's bid.

9. The Contractor and each of its known subcontractors shall submit an "Ethnic Composition of the Company's Total Work Force" report (by employees) with the bid.

10. No contract or subcontract shall be executed until the Office of Contract Compliance of the City of Los Angeles has approved the Contractor's or subcontractor's Affirmative Action Plan.

11. It shall be no excuse that the union with which the Contractor or the subcontractor has a collective bargaining agreement providing for referral, exclusive or otherwise, failed to refer minority employees.

12. Subject to this subsection, the Contractor and subcontractor shall execute such further forms and documentation at such times and as may be required by the appropriate awarding authority or the Office of Contract Compliance of the City of Los Angeles.

13. Where the Contractor or its subcontractor has failed to comply with the Affirmative Action requirements contained in this section, any and all sanctions allowed by law may be imposed upon the Contractor or any subcontractor.

14. The Office of Contract Compliance within the Department of Public Works shall be responsible for administering the City's Contract Compliance Program in the manner described in the Los Angeles Administrative Code.

EQUAL EMPLOYMENT OPPORTUNITY OFFICER

(See Item 2 (a), Page 2)

Please be advised _____
Firm Name and Address

hereby appoints _____
Name of Appointee Present Official Status with Firm

as its Equal Employment Opportunity Officer. The Officer has been given the authority to establish, disseminate, and enforce the Equal Employment and Affirmative Action Policies of this firm.

The Officer may be contacted at _____
Work Location

_____ concerning matters related to any affirmative actions taken
Telephone

by this firm to increase minority utilization in its employment.

LOS ANGELES CITY AFFIRMATIVE ACTION PLAN ETHNIC COMPOSITION OF TOTAL WORK FORCE

To be completed, signed, and submitted by subcontractors/contractors

Contractor: _____

Address: _____

Telephone: _____

☐ Prime

☐ Subcontractor

Spec. No. _____

Contract No. _____

Indicate below the number of employees in each occupational category for each of the ethnic groups listed below for your firm's total work force

EMPLOYMENT BY RACE, OCCUPATION, AND SEX															
OCCUPATIONS	Total Employees	MALE EMPLOYEES					Total Employees	FEMALE EMPLOYEES					Total All Employees	Total Minority	Percent Minority
		WHICH IS SPECIFYING						WHICH IS SPECIFYING							
		Black	Asian	American Indian	Hispanic	Other		Black	Asian	American Indian	Hispanic	Other			
a. OFFICIALS AND MANAGERS															
b. PROFESSIONALS															
c. TECHNICIANS															
d. SALES WORKERS															
e. OFFICE AND CLERICAL															
f. CRAFTSMEN (Skilled)															
g. OPERATIVES (Skilled And)															
h. LABORERS (Unskilled)															
i. SERVICE WORKERS															
TOTAL															

To complete the following (check correct) and also be included in the appropriate category above the "Total" lines

a. APPRENTICES													
b. On-the-job Training	Visual check												
	Documentary												

EMPLOYMENT STATISTICS MUST BE SUBMITTED BY:

☐ AVAILABLE RECORDS ☐ VISUAL CHECK ☐ OTHER (Specify): _____

The Contractor by its signature affixed hereby declares under penalty of perjury that:

1. It has read the above Los Angeles City Affirmative Action Requirements for Subcontractors/Contractors
2. It shall accept the requirements contained therein as the best Affirmative Action Plan for all its operations within the County of Los Angeles, or the appropriate work, lease, management area of the contract; if the contractor is licensed pursuant to the County of Los Angeles.
3. The information contained herein is true and correct.

Signature _____

Title _____

Company Name _____

Date _____

Appendix C

Los Angeles Department of Water and Power Purchasing
Operations – Living Wage Ordinance Guide

**Los Angeles Department of Water and Power
Purchasing Operations**

111 N. Hope Street
Los Angeles, CA 90012
(213) 367-1696

Living Wage Ordinance (LWO) Guide

CONTRACTOR

Responding to an RFP, Bid, or Lease Contract

- If you believe that your firm is exempt from the LWO, immediately initiate the exemption process before submitting your bid.
 - Very few contractors are exempt from the LWO. Exemption is available primarily to nonprofit organizations.
 - Contact the Contract Administrator of the contract and request the "Living Wage Ordinance Exemption Worksheet for Service and Lease Contractors."
- Determine your full costs under the LWO.
 - Inform all subcontractors that they will be subject to the LWO.
 - List all employees that will work on the project: both full-time and part-time employees.
 - Obtain lists of ALL subcontractor employees that will work on the project: both full-time and part-time employees.
 - In calculating your bid, account for the compensation paid to each employee as required by the LWO. The form "Declaration of Compliance," to be signed and submitted with the bid, details the compensation requirements. Annual adjustments to the LWO rate of compensation, if any, are announced on June 15th, taking effect on July 1st. Compensation requirements include:
 - * A minimum wage of \$7.39/hour with health benefits, or \$8.64/hour, for all employees that do any work on the contract.
 - * A minimum of 12 compensated days off per year, for sick leave, vacation, or personal days at the employees' request.

A minimum of an additional 10 uncompensated days off per year.
In calculating the bid, the Los Angeles Department of Water and Power (Department) does not allocate funds for paying the "cost of the ordinance." The Department assumes that all bids will be calculated in the most competitive manner.

- Ensure that all subcontractors provide bids and cost estimates based on the full LWO costs to their firms.

Submitting the Bid

Sign the "Declaration of Compliance" (included in the RFP or contract documents) and submit with the bid.

Upon Award of Contract (or amendment, renewal, extension, etc.)

Provide the required notification of the LWO to employees.

- Notify your employees of the LWO, in English, Spanish, and/or any other language spoken by a significant number of employees.
- Provide subcontractors written notice of the LWO to all of their employees and ensure posting the notice in their workplaces.
- Submit proof of health benefits within 30 days of the execution of the contract (this includes proof of health benefits from the subcontractors), to the Business Unit Contract Administrator that awarded the contract, within 30 days of the execution of the contract (unless documented proof has been submitted that the employees are being paid higher than the Living Wage rate).

Adjustments to the Living Wage

Adjustments to the LWO rates will be sent to each Business Unit by June 15th annually. These changes, if any, are effective July 1st of that year. The contractor is responsible for informing all subcontractors of any wage rate changes.

Bi-Annual Reporting

All contractors are required by law to provide a list of all employees working on a Department contract (including subcontractor workers) to the Business Unit that awarded the contract by June 30th and December 31st of each year. The list should include: employee names, dates of hire, occupation classifications, rate of pay, and benefits paid to each employee. Business Unit will submit reports to Purchasing for subsequent Departmentwide reporting to the City.

Inspection of Records by Department Employees

The contractor and subcontractors must permit access of records upon request.

CITY OF LOS ANGELES

DECLARATION OF COMPLIANCE

Service Contract Worker Retention Ordinance and the Living Wage Ordinance

Los Angeles Administrative Code (LAAC) Sections 10.36 et seq and 10.37 et seq provide that all employers (except where specifically exempted) under contracts primarily for the furnishing of services to or for the City and that involve an expenditure or receipt in excess of \$75,000 and a contract term of at least three months, or certain recipients of City financial assistance, shall comply with all provisions of the Ordinances.

During the performance of this agreement, the contractor or City financial assistance recipient certifies that it shall comply and require each subcontractor hereunder to comply with the provisions of the above referenced Ordinances. The contractor shall provide to the City a list of all subcontractors and a list of all employees under the agreement within 10 days after execution. The employees' list shall include the name, position, classifications and rate of pay for each employee. An updated list shall be submitted by June 30 and December 31 of each year the contract is in effect and upon termination of the contract. In case of a successor service contract, a successor contractor shall retain for a 90-day transition employment period, employees who have been employed by the terminated contractor or its subcontractor, if any, for the preceding 12 months or longer, pursuant to Section 10.36.2.

The contractor or City financial assistance recipient further agrees:

(a) To pay employees a wage no less than the minimum initial compensation of \$7.59 per hour with health benefits, as described, or otherwise \$8.64 per hour, pursuant to Section 10.37.2(a); such rate(s) shall be adjusted annually and shall become effective upon publication of the new rate in a bulletin by the Bureau of Contract Administration.

(b) To provide at least 12 compensated days off per year for sick leave, vacation or personal necessity at the employee's request, and at least ten additional days per year of uncompensated time off pursuant to Section 10.37.2(b);

(c) To pay at least \$1.25 per hour per employee toward the provision of health benefits for the employees and their dependents pursuant to Section 10.37.3;

(d) To inform employees making less than \$12 per hour of their possible right to the Federal Earned Income Credit (EIC) and make available the forms required to secure advance EIC payments from the employer pursuant to Section 10.37.4;

(e) To permit access to work sites for authorized City representatives to review the operation, payroll and related documents, and to provide certified copies of the relevant records upon request by the City; and,

(f) Not to retaliate against any employee claiming non-compliance with the provisions of these Ordinances and shall comply with federal law prohibiting retaliation for union organizing.

The undersigned authorized representative hereby obligates the proposer to the above stated conditions under penalty of perjury.

Company Name		Signature of Officer or Authorized Representative	
Company Address and Phone Number		Type or Print Name and Title	
Date	Bid Number	Issued by City Department of	Type of Service

FOR CITY USE ONLY			
Documentation	Bidder is Not Exempt	Bidder is Exempt	Date
Department/Division	Representative		

**LIVING WAGE ORDINANCE (LWO) and
SERVICE CONTRACT WORKER RETENTION ORDINANCES (SCWRO)**

GENERAL PROVISIONS

The Living Wage Ordinance and the Service Contract Worker Retention Ordinance require that, unless specific exceptions apply, all employers (as defined in the ordinances) awarded contracts for the furnishing of services to or for the City that involve expenditures or receipt of payment in excess of \$25,000, and for a term of three months or longer, shall comply with the following (See Declaration of Compliance for details):

- Retention by the successor contractor for a 90-day transition period, the employees who were employed for the preceding 12 months or more by the terminated contractor (also applies to subcontractor).
- Payment of a minimum initial wage rate to all employees working on said contracts (both contractor and subcontractor employees, as defined in the LWO), of \$7.35 per hour with health benefits of at least \$1.25 per hour, or otherwise, \$8.64 per hour.

Determining Applicability of the LWO and/or SCWRO

All services contracts that meet the LWO and SCWRO criteria stated above shall contain the relevant compliance specifications language. The Buyer determines the applicability of the LWO and SCWRO to a particular contract, and follows procedures, where ordinances apply.

- (1) Applicable contracts include, but are not limited to, service contract for food services; janitorial; security guards; nonprofessional health care; gardeners; waste management employees; and clerical employees
- (2) Applicable to tenants and concessionaires operating at Department facilities (Applies only to LWO.)

Bidders who fail to sign the Declaration of Compliance are considered nonresponsive.

Enforcement

- (1) The Department shall pursue available legal remedies, up to and including termination of the contract, where a violation of any provision of the Ordinances has been determined.
- (2) The Department shall initiate an investigation in instances where an employee of the contractor or subcontractor alleges noncompliance with the Ordinances or retaliation by the contractor as a result of the allegation.

CITY OF LOS ANGELES
Department of Water and Power
EMPLOYEE INFORMATION WORKSHEET

Service Contract Worker Retention Ordinance and Living Wage Ordinance

TO BE COMPLETED ONLY BY SUCCESSFUL BIDDER

111 North Hope Street Room 606
Los Angeles, CA 90012
Attn: Contract Compliance Office
Phone: (213) 367-1696
FAX: (213) 367-2268

Contract No. _____

Awarded by City Department: _____

Project Name: _____

Name of Company: _____

Company Phone: _____

If no, state the name of the Prime Contractor: _____

Number of Employees working on this project and listed on this worksheet: _____

Employers are required to pay employees working under a City of Los Angeles contract a wage no less than the minimum initial compensation of \$2.35 per hour (effective May 1, 1998) with health benefits of \$1.25 per hour, or \$3.64 per hour without health benefits. The contractor shall provide at least 12 compensated days off per year for sick leave, vacation or personal need, at the employee's request, and at least ten additional days per year of uncompensated time off.

This worksheet must be completed and submitted to the Department of Water & Power within 10 working days after execution of the contract. Additionally, an updated worksheet must be submitted by June 30 and December 31 of each year. See the LIVING WAGE ORDINANCE, Article 11, Chapter 3, Division 10 of the Los Angeles Administrative Code.

Add extra sheets if necessary. After the entire form has been completed, send to the address stated above.

EMPLOYEE INFORMATION

Name:	Date of Hire:
Address:	Rate of Pay per hour \$:
Occupation Classification:	Health benefits paid per hour \$:
Health Benefits Carrier:	

Name:	Date of Hire:
Address:	Rate of Pay per hour \$:
Occupation Classification:	Health benefits paid per hour \$:
Health Benefits Carrier:	

CITY OF LOS ANGELES
Department of Water and Power
EMPLOYEE INFORMATION WORKSHEET

Service Contract Worker Retention Ordinance and Living Wage Ordinance

TO BE COMPLETED ONLY BY SUCCESSFUL BIDDER

EMPLOYEE INFORMATION (cont.)

Page _____ of _____

Project Name: _____ Contract No. _____

Name of Company: _____

Name:	Date of Hire:
Address:	Rate of Pay per hour \$:
Occupation Classification:	Health benefits paid per hour \$:
Health Benefits Carrier:	

Name:	Date of Hire:
Address:	Rate of Pay per hour \$:
Occupation Classification:	Health benefits paid per hour \$:
Health Benefits Carrier:	

Name:	Date of Hire:
Address:	Rate of Pay per hour \$:
Occupation Classification:	Health benefits paid per hour \$:
Health Benefits Carrier:	

Name:	Date of Hire:
Address:	Rate of Pay per hour \$:
Occupation Classification:	Health benefits paid per hour \$:
Health Benefits Carrier:	

Name:	Date of Hire:
Address:	Rate of Pay per hour \$:
Occupation Classification:	Health benefits paid per hour \$:
Health Benefits Carrier:	

Warranted that the employee information provided herein is confidential and will only be used by the Department of Water & Power solely for the purpose of monitoring the implementation of Ordinance 171,547 and 171,554. Pursuant to said ordinance, Contractor shall permit access to work sites by authorized Order Representatives to review the work book, payroll and related documents, and to provide certified copies to the relevant records upon request by the DWP.

Print Name of Person completing this form

Signature of Person Completing This Form

Date:

Title:

Appendix D

Notice of Intent to Propose

Notice of Intent to Respond

This is to declare that the undersigned intends to respond to the following RFP for the City of Los Angeles, Department of Water and Power.

**REQUEST FOR PROPOSAL
TO DEVELOP RESOURCES FOR THE GREEN POWER PROGRAM
FOR THE DEPARTMENT OF WATER AND POWER
OF THE CITY OF LOS ANGELES**

<u>Company</u>
<u>Mailing Address/Phone/Fax/Email</u>
<u>Contact Person</u>
<u>Authorized Signature and Date</u>

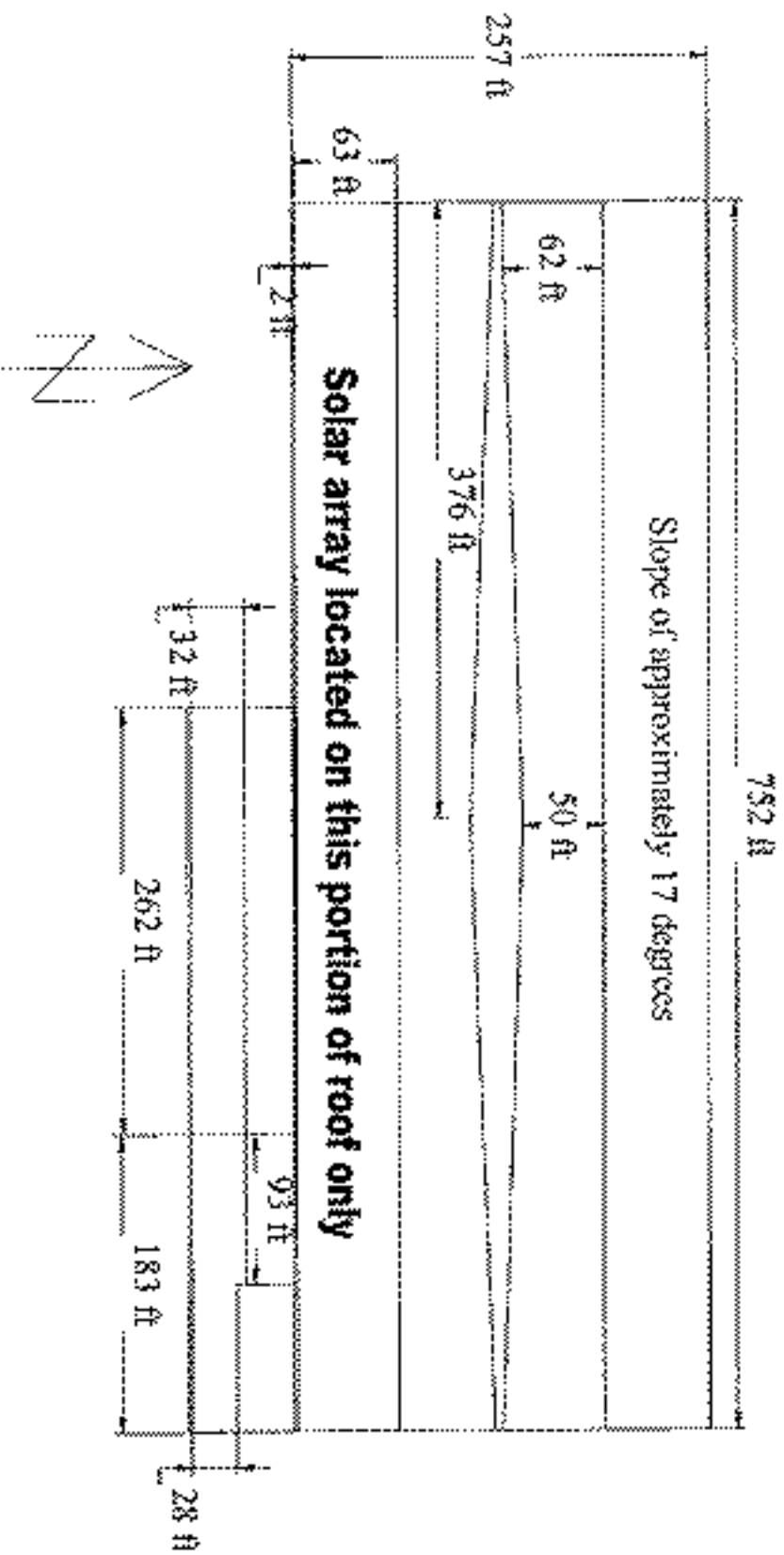
Return by mail or fax within 7 days of the date of this document on the cover page to:

John Giese
111 North Hope Street, Room 1121
Los Angeles, CA 90012
213 367 0434 – Phone
213 367-0462 - Fax

Appendix E

ATTACHMENTS A AND B FOR THE SPRUCE GOOSE BUILDING PHOTOVOLTAIC ROOFTOP INSTALLATION

Top View of Rooftop
350 Kilowatt Layout



Top View of Rooftop
1.02 Megawatt Layout

